Application No. 10/826,869

Office Action Dated: September 30, 2005

Response to Office Action with One-Month Extension Dated: January 17, 2006

## In the Claims:

1. (Currently Amended) A sterile apparatus to protect endoscope(s) comprising: an impact-resistant external housing forming a storage sheath to receive the instrument.

an impact resistant housing having an outer surface defining an opening, an interior of the housing defining a canal having a first end communicating with the opening and a second end terminating within the housing for receiving a distal lens of an endoscope; and

a defogging material disposed adjacent to the second end of the canal for defogging a distal lens of an endoscope when inserted within the canal.

- 2. (Currently Amended) An apparatus to protect endoscope(s) as in claim 1, whereas multiple instruments may be protected in the same apparatus. wherein the canal is shaped for receiving a plurality of types of endoscopes.
- 3. (Currently Amended) An apparatus to protect endoscope(s) as in claim 1, whereas the apparatus is disposable wherein the apparatus is made of disposable material.
- 4. (Currently Amended) An apparatus to protect endoscope(s) as in claim 1, whereas the apparatus is shaped for the intended instrument. wherein the canal is complementarily shaped to that of an endoscope to be received therein.
- 5. (Currently Amended) An apparatus to protect endoscope(s) as in claim 1, whereas the apparatus provides protection of intermittent use instruments. wherein the apparatus is configured to protect endoscopes during intermittent use.
- 6. (Currently Amended) An apparatus to protect endoscope(s) as in claim 1, whereas the apparatus provides protection for the transportation of the

instrument(s). wherein the apparatus is configured to protect endoscopes during transportation.

- an impact absorbing material substantially filling the cavity.
- 8. (Currently Amended) An apparatus to protect endoscope(s) as in claim 1 claim 7, whereas wherein the impact absorbing material is Styrofoam.
- 9. (Currently Amended) An apparatus to protect endoscope(s) as in <u>claim 1 claim 1.</u>

  Z. <u>whereas wherein the impact absorbing material is a gel.</u>
- 10. (Currently Amended) An apparatus to protect endoscope(s) as in claim 1 claim 2 whereas wherein the impact absorbing material is a liquid.
- 11. (Currently Amended) An apparatus to protect endoscope(s) as in <u>claim 1 claim 2 whereas wherein</u> the impact absorbing material is a gas.
- 12. (Currently Amended) An apparatus to protect endoscope(s) as in claim 1, whereas the apparatus is removably affixed to any surface. further comprising means for removably affixing the housing to a surface.
- 13. (Currently Amended) An apparatus to protect endoscope(s) as in claim 1, whereas the apparatus attached to a cord connected to an anchor. further

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comprising:

an anchor; and

a cord attached to the housing and the anchor.

14. (Currently Amended) An apparatus to protect endoscope(s) as in-claim 13 whereas the apparatus attached to a cord is detachabable claim 13, wherein the cord is removably attachable to the housing.

15. (Currently Amended) An apparatus to protect endoscope(s) as in claim 13, whereas the anchor is removable, wherein the anchor is removably attachable to a surface.

Claims 16-40 (Canceled)

- 41. (New) "An apparatus to protect endoscope(s) as in claim 1, further comprising a valve mechanism disposed in the canal, the valve mechanism being configured to allow for an endoscope to enter the canal and make contact with the defogging material while preventing the defogging material from spilling out of the canal.
- 42. (New) An apparatus to protect endoscope(s) as in claim 1, further comprising a reservoir communicating with the second end of the canal for accommodating the defogging material.